

10/572324

PC25264A

10/572324 MAR 2006

Confirmation No.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Anthony M. Campeta, et al.

EXAMINER :

SERIAL NO. :

ART UNIT :

FILED :

PAPER NO. :

FOR : Crystalline Forms Of R-(R*,R*)]-2-(4-Fluorophenyl)-Beta,Delta-Dihydroxy-5-(1-Methylethyl)-3-Phenyl-4-[(Phenylamino)Carbonyl]-1H-Pyrrole-1-Heptanoic Acid

Statement as Provided by 37 CFR 1.97(b)

Mail Stop: Amendment
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of the first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

It is requested that the references listed on the attached form PTO-SB-08A be included in the "References Cited" portion of any patent issuing from this application (MPEP § 1302.12).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. §1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

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MARCH 17 2006

It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Respectfully submitted,

Dated: March 17, 2006

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10/15/2006
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PTO/SB/08A (07-05)

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Complete if Known**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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3

Application Number	
Filing Date	
First Named Inventor	Anthony Michael Campeta, et al.
Art Unit	
Examiner Name	

Attorney Docket Number PC25264A

EXPRESS MAIL NO. EV54539538US
DOCKET NO. PC25264A**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
		US- 4681893	07-21-1987	Bruce D. Roth	
		US- 5003080	03-26-1991	Donald E. Butler, et al.	
		US- 5097045	03-17-1992	Donald E. Butler, et al.	
		US- 5103024	04-07-1992	Alan Millar, et al.	
		US- 5124482	06-23-1992	Donald E. Butler, et al.	
		US- 5149837	09-22-1992	Donald E. Butler, et al.	
		US- 5155251	10-13-1992	Donald E. Butler, et al.	
		US- 5213995	05-25-1993	Young-Kai Chen, et al.	
		US- 5216174	06-01-1993	Donald E. Butler, et al.	
		US- 5245047	09-14-1993	Donald E. Butler, et al.	
		US- 5248793	09-28-1993	Alan Millar, et al.	
		US- 5273995	12-28-1993	Bruce D. Roth	
		US- 5280126	01-18-1994	Donald E. Butler, et al.	
		US- 5298627	03-29-1994	Donald E. Butler, et al.	
		US- 5342952	08-30-1994	Donald E. Butler, et al.	
		US- 5397792	03-14-1995	Donald E. Butler, et al.	
		US- 5446054	08-29-1995	Donald E. Butler, et al.	
		US- 5470981	11-28-1995	Donald E. Butler, et al.	
		US- 5489690	02-06-1996	Donald E. Butler, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				
		WO 2000/71116	11-30-2000	Ranbaxy Laboratories Ltd.		
		WO 2001/28999	04-26-2001	Egis Gyogyszergyarrt		
		WO 2001/36384	05-25-2001	Teva Pharmaceuticals Industries Ltd.		
		WO 2001/42209	06-14-2001	LEK Pharmaceutical and Chemical Co.		
		WO 2002/051804	07-04-2002	Ciba Specialty Chemicals Holding Inc.		
		WO 2002/057228	07-25-2002	Biocon India Ltd.		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2

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3

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U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US- 5489691	02-06-1996	Donald E. Butler, et al.	
		US- 5510488	04-23-1996	Donald E. Butler, et al.	
		US- 5686104	11-11-1997	Nancy Mills, et al.	
		US- 5969156	10-19-1999	Christopher A. Briggs, et al.	
		US- 5998633	12-07-1999	Thomas E. Jacks, et al.	
		US- 6087511	07-11-2000	Min Lin, et al.	
		US- 6121461	09-19-2000	Ann T. McKenzie	
		US- 6126971	10-03-2000	Nancy Mills, et al.	
		US- 6433213	08-13-2002	Robert Lee Bosch, et al.	
		US- 6476235	11-05-2002	Donald E. Butler, et al.	
		US- 6583295	06-24-2003	Zlatko Pflaum	
		US-			

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 2002/057229	07-25-2002	Biocon India Ltd.		
		WO 2002/057274	07-25-2002	Biocon India Ltd.		
		WO 2002/059087	08-01-2002	Lek Pharmaceutical and Chemical Co		
		WO 2002/072073	09-19-2002	Lek Pharmaceutical and Chemical Co.		
		WO 2002/083637	10-24-2002	Cadila Healthcare Ltd.		
		WO 2002/083638	10-24-2002	Cadila Healthcare Ltd.		

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Sheet 3 of 3 Attorney Docket Number PC25264A

U. S. PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 2002/089788	11-14-2002	Bio-Chemie Gesellschaft M.B.H.		
		WO 2002/41834	05-30-2002	Teva Pharmaceutical Industries Inc.		
		WO 2002/43667	06-06-2002	Teva Pharmaceutical Industries Inc.		
		WO 2002/43732	06-06-2002	Teva Pharmaceutical Industries In		
		WO 2003/004470	01-16-2003	Warner-Lambert Co.		

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